

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2169 of 2021**

Arising Out of PS. Case No.-172 Year-2020 Thana- SIKARHATTA District- Bhojpur

JAI PRAKASH BHAGAT @ DHANOJ PAL S/O GODHAN BHAGAT R/O
VILLAGE-CHANDA, P.S-SIKRAHATA, DISTRICT-BHOJPUR (BIHAR).

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant/s : Mr. Uday Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. PP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 26-08-2021 Let the defects be removed within four weeks of the
start of the physical Court.

Heard the parties in virtual Court proceeding.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 09.02.2021 passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with SC/ST No. 311/2020 (Registration No. 375/21) arising out of Sikarhatta P.S. Case No. 172 of 2020 registered under Section 302 of the I.P.C., Section 27 of the Arms Act and Section 3(2)(v) of the SC/ST Act.

During the *Barat* procession the appellant was firing which accidentally hit to the son of the informant.



Submission is that this may be a case of rash and negligent act of the appellant while amusing the Barat procession. Investigation of the case is already complete.

Considering the facts aforesaid, let the appellant, above named, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

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